

INTERVENTION



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COMMISSIONERS

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Arizona Corporation Commission

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FEB 19 2009

DOCKETED BY

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

IN THE MATTER OF THE APPLICATION OF
THE SOLAR ALLIANCE FOR A DECLARATORY
ORDER THAT PROVIDERS OF CERTAIN SOLAR
SERVICE AGREEMENTS WOULD NOT BE
PUBLIC SERVICE CORPORATIONS.

Docket No. E-20633A-08-0513

MOTION TO INTERVENE

Pursuant to A.A.C. R14-3-105, Arizona Electric Power Cooperative, Inc. ("AEPCO")

applies to the Commission for an order granting it leave to intervene in this proceeding. In
support of its Motion, AEPCO states:

1. AEPCO is a nonprofit, electric generation cooperative that provides all or most of
the energy needs of its five Arizona Class A member cooperatives.

2. In this docket, Solar Alliance has applied for a declaratory order that providers of
electricity in conjunction with certain solar service agreements would not be public service
corporations.

3. AEPCO, as a provider of power and energy at wholesale to its retail member
distribution cooperatives, has a direct and substantial interest in the issues presented by the Solar
Alliance application.

4. The granting of intervenor status to AEPCO will not delay this proceeding or
cause the issues to be broadened, nor will it prejudice Solar Alliance or any other interested
parties.

1 5. Service of all correspondence, documents or pleadings should be made to counsel
2 for AEPCO as follows:

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9 Email: mmg@gknet.com

10 WHEREFORE, AEPCO requests that the Administrative Law Judge issue an order
11 granting its Motion to Intervene.

12 RESPECTFULLY SUBMITTED this 19th day of February, 2009.

13 GALLAGHER & KENNEDY, P.A.

14 By Michael M. Grant

15 Michael M. Grant
16 2575 East Camelback Road
17 Phoenix, Arizona 85016-9225
18 Attorneys for Arizona Electric Power
19 Cooperative, Inc.

20 **Original and 13 copies** filed this
21 19th day of February, 2009, with:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington Street
 Phoenix, Arizona 85007

1 **Copy** of the foregoing delivered
this 19th day of February, 2009, to:

2
3 Lyn A. Farmer
4 Chief Administrative Law Judge
5 Hearing Division
6 Arizona Corporation Commission
7 1200 West Washington Street
8 Phoenix, Arizona 85007

9 **Copies** of the foregoing mailed this
10 19th day of February, 2009, to:

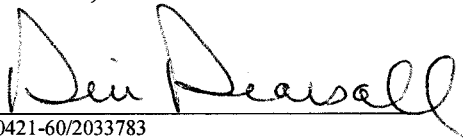
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